

MINUTES

Attendance

Members Present: Bruce Carson, Jonathan O'Keeffe

Members Absent: Eduardo Suarez

Planning Department Staff: Jonathan Tucker, Christine Brestrup

Other Planning Board Members: Denise Barberet

Others Participating: Stephen Klein, Mary Streeter, Mindi Sahrer, Matthew Cornell

Discussion

The meeting was called to order at 5:10 PM.

The Subcommittee approved the minutes from its 1/21/09 and 2/4/09 meetings by consensus.

The Subcommittee reviewed the proposed amendment to extend the Municipal Parking District northwards. Discussion centered on three topics: the inclusion of Kendrick Park; the inclusion of residential properties (particularly those in the area bounded by Cowles Lane, North Prospect Street, and Hallock Street); and the possibility of allowing a payment in lieu of the requirement to provide a specific number of parking spaces.

Mr. Tucker restated the reasons for the inclusion of Kendrick Park in the extension: for consistency with other Town-owned properties in the downtown area that are already included in the District, and for the modest benefits that might accrue from not having to provide on-site parking for any proposed uses in the park. He stated that it was unlikely that any uses proposed for the park would include parking in the park, but that inclusion in the District would make it easier to control parking requirements for any such uses. Mr. O'Keeffe stated that he continued to feel that the inclusion provided potential modest benefits with no real downside, and Mr. Carson agreed.

Ms. Barberet expressed opposition to the inclusion of the residential properties along North Prospect/Hallock, saying that the area was already developed and that parking was already scarce there. She also cited concerns about the potential for housing to be developed with no parking. Mr. O'Keeffe indicated that the District is defined to apply to the core downtown business area and immediately abutting residential areas. He discussed the Master Plan's support for infill and redevelopment in core downtown areas, stating that expansion of the district might encourage redevelopment of the types of housing units which might require less than two parking spaces per unit. Mr. Tucker cited the example of the Clark House and Ann Whalen Apartments, both in the existing District, which supply 180 housing units without the need for the 360 parking spaces that would otherwise be required.

Mr. Tucker discussed the possibility of allowing a payment in lieu of the requirement to provide parking, which had been proposed by Rob Kusner in a previous meeting. Mr. Tucker explained the policy used in Northampton, which allows a payment of \$2,000 in lieu of each parking space not provided. Mr. O'Keeffe asked about how the recipient of such funds would be structured - as an enterprise fund or as a designated reserve account within the general budget. Mr. Tucker indicated that the existing Transportation Enterprise Fund could be used for such a purpose, and that this fund collects revenue from parking fees and fines, and disburses funds primarily for public transportation. Mr. Tucker stated that he has

no information on how well the process is working in Northampton, and upon request from the Subcommittee indicated that he would contact Northampton to try to find out more details about their experience with the system.

Mr. Tucker indicated that the proposed amendment dealing with child care had been withdrawn at the request of Roy Rosenblatt, since the changes to state law which prompted the amendment have not yet been finalized. The amendment will not appear on the warrant, since the deadline for the list of articles (March 9) has not yet occurred. The deadline for final warrant language is March 23.

The Subcommittee discussed the proposed amendment relating to Taxi Services. Ms. Barberet stated that the uses under the new Use Category 3.340.31 in residential districts, currently proposed to be allowed under Special Permit, might not be appropriate at all in those areas. Mr. Tucker indicated that such uses were allowed under the current zoning, and that the regulations proposed were intended to be a starting point based on the current regulations, to initiate further discussion. Mary Streeter stated that such uses, proposed to be allowed by Site Plan Review in the Professional Research Park district, were not appropriate due to the amount of traffic that they might generate along Larkspur Drive.

Stephen Klein also made comments to this effect. Ms. Barberet also indicated that these uses might not be appropriate in the Flood Prone Conservancy district. After further discussion, the consensus view on the Subcommittee was to revise the proposed regulation from SP to N in all five residential districts, from SPR to SP in the PRP district, and from SP to N in the FPC district.

The Subcommittee discussed the proposed amendment to rezone areas in the Main/Dickinson/High Street neighborhood, including the creation of a new B-N (Neighborhood Business) district intended to allow many of the uses allowed under B-VC but to exclude various automotive uses, and to impose additional conditions on some uses. Mindi Sahner stated that her property would be changed from COM to B-N under the proposal. She indicated that the B-N designation seemed to permit the current uses on her property, but that she had concerns about the spotty and patchwork nature of the proposed zoning changes, and about the proposal to retain the current COM zoning on the parcels along College Street. Matthew Cornell stated that his property too would be changed from COM to B-N, that he doesn't see the need for a zoning change, and that if the zoning is changed, it should also be applied to the College Street parcel where the Chevrolet dealership is located, stating that the dealership is a nuisance in terms of the light produced by its signs and the noise from unloading vehicles. There was discussion of the impacts from rezoning this property, with Mr. Tucker stating that it is important to take care not to introduce non-conformities with zoning changes, and that the provisions of the B-N district had been carefully designed not to do so for the parcels to which it would be applied. He indicated that Town Counsel would need to review any proposed change to the dealership parcel.

The Subcommittee discussed a newly-proposed amendment which would create a new use category for moderately-sized medical and dental offices, between the existing categories of a single practitioner, which is allowed as an accessory use, and a large medical or dental office. Mr. Tucker stated that this was based on an inquiry from a practitioner who was considering putting an office in a PRP district. Ms. Streeter and Mr. Klein both expressed opposition, stating that this would represent a creeping expansion of the uses allowed in the PRP, and that it would generate large amounts of traffic. Mr. Tucker stated that the proposed language was designed to try to set limits on the size of the medical or dental offices that would be consistent with the need to control traffic. Ms. Barberet stated that a medical or dental office is qualitatively different from the other types of offices allowed in PRP which allow visitation by the public by appointment only, in that the office for an architect, lawyer, or accountant is generally a professional office, with low levels of

visitation, whereas a medical office or dental office exists primarily to accommodate public visits, leading to a higher level of traffic. Mr. O'Keeffe shared this concern, and also indicated that he had reservations about introducing a brand-new amendment this close to the end of the process. The consensus on the Subcommittee was to add this proposal to the Work List, and to remove it from consideration from Spring Town Meeting.

The meeting was adjourned at 6:55 PM. The next Zoning Subcommittee meeting was scheduled for March 4, 2009.

Respectfully submitted,

Jonathan O'Keeffe, Subcommittee member

[Minutes approved 3/4/09]